

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**CHRISTOPHER SMOAK,**

**Plaintiff,**

**v.**

**BITCOIN MARKET LLC et al.,**

**Defendants.**

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**Case No. CIV-18-1096-G**

**ORDER**

The court has a duty to inquire into its own jurisdiction. *Tuck v. United Servs. Auto. Ass’n*, 859 F.2d 842 (10th Cir. 1988). Plaintiff’s Amended Complaint, filed November 8, 2018, indicates that the court’s subject matter jurisdiction is based upon diversity jurisdiction pursuant to 28 U.S.C. § 1332. *See* Am. Compl. (Doc. No. 3) at 4. In the Amended Complaint, Plaintiff alleges that Defendant Bitcoin Market, LLC “is a limited liability company incorporated under the laws of the State of Oklahoma having its principal place of business in a State other than the State of California.” *Id.*

The Tenth Circuit has determined that, for purposes of diversity jurisdiction, the citizenship of a limited liability company is the citizenship of its members. *See Siloam Springs Hotel, L.L.C. v. Century Sur. Co.*, 781 F.3d 1233, 1237-38 (10th Cir. 2015). In order to plead facts sufficient to establish diversity jurisdiction, Plaintiff must therefore

specifically identify all of Defendant Bitcoin Market, LLC's members and the citizenship of those members.<sup>1</sup>

ACCORDINGLY, Plaintiff is DIRECTED to file a second amended complaint no later than January 22, 2019, which identifies all members of Defendant Bitcoin Market, LLC and the citizenship of those members. Failure to comply may result in dismissal of this action without prejudice.

IT IS SO ORDERED this 11th day of January, 2019.

  
CHARLES B. GOODWIN  
United States District Judge

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<sup>1</sup> If any members of Defendant Bitcoin Market, LLC are themselves limited liability companies, then allegations regarding the citizenship of each of their members likewise is required.